

## **REMARKS**

### **Status**

Upon entry of the amendments above, Claims 1-12 and 30 are pending. Claim 1 has been amended. Claim 30 reproduces Claim 1 prior to entry of the present claim amendment. Accordingly, this Amendment incorporates no new matter.

### **Claim Rejections - 35 U.S.C. § 103**

The Office Action rejects Claims 1-3, 5-7, and 9-12 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al., U.S. Patent No. 6,436,991, alone.

The Office Action rejects Claim 4 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al. combined with Remington's (1995).

The Office Action rejects Claim 8 under 35 U.S.C. § 103(a) as unpatentable based on Majeed et al. combined with Goodman and Gilman's: The Pharmacological Basis of Therapeutics, 9th Edition (1995).

Applicants respectfully traverse.

The prior art fails to teach or suggest a method of treating a cognitive memory dysfunction in a mammal, said method comprising administering to the mammal a pharmaceutically acceptable composition consisting essentially of a memory enhancing effective amount of *gugulipid*.

Applicants note that the Office Action incorrectly asserts that 1) the ferulate compounds disclosed in Majeed et al. teach or suggest the *gugulipid* designated in the claims; and 2) that the suggested treatment of Alzheimer's disease in Majeed et al. teaches or suggests a method of treating a cognitive memory dysfunction as claimed. On both these points, the Office Action is erroneous. Thus, since all the claim-designated elements of the invention have not been

adequately addressed, no *prima facie* case of obviousness has been made out.

In support thereof, Applicants present this Declaration under 37 C.F.R. § 1.132 in rebuttal to all the rejections based upon Majeed et al.

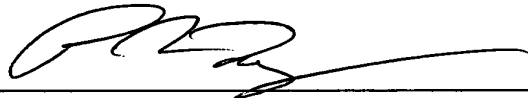
Accordingly, reconsideration and withdrawal of all the obviousness rejections is respectfully requested.

### **CONCLUSION**

Applicants assert that the present case is in condition for allowance and respectfully request early notice to that effect. If any issues remain to be addressed in this matter which might be resolved by discussion, the Examiner is respectfully requested to call Applicants' undersigned counsel at the number indicated below.

Respectfully submitted,

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